



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Aviation Safety

800 Independence Ave  
Washington, DC 20591

July 28, 2021

Exemption No. 18864  
Regulatory Docket No. FAA-2018-0848

Mr. W. Travis Adams  
Coulson Aviation USA  
655 South Rock Blvd.  
Reno, Nevada 89502

Dear Mr. Adams:

This letter is to inform you that the Federal Aviation Administration (FAA) has granted your request for exemption. This letter transmits the FAA's decision, explains its basis, and provides the conditions and limitations of the exemption, including the date it ends.

### **The Basis for the FAA's Decision**

By letter dated June 25, 2021, you petitioned the FAA on behalf of Coulson Aviation USA (Coulson) for an exemption from §§ 21.197 and 91.611 of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow Coulson to conduct three-engine ferry flights of specified four-engine Lockheed C-130 aircraft to a maintenance facility without having to obtain a Special Flight Permit (SFP) from the FAA for each flight.

Although you requested an extension of Exemption No. 18050 (copy enclosed), that exemption expired on November 30, 2020. Therefore, the FAA is issuing Coulson a new exemption.

The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption Nos. 5332, 8551, and 18050 (copies enclosed), the FAA found that an exemption would relieve the administrative burden placed on the operator and the FAA in arranging for the issuance of special flight permits during inappropriate times while operating in the United States.

Having reviewed your reasons for requesting an exemption, I find that:

- They are similar in all material respects to relief previously requested in the enclosed Grant of Exemption Nos. 5332, 8551, and 18050;
- The reasons stated by the FAA for granting the enclosed Grant of Exemption Nos. 5332, 8551, and 18050 also apply to the situation you present; and

AFS-22-00042-E

- A grant of exemption is in the public interest.

### **The FAA's Decision**

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* because the requested exemption would not set a precedent and any delay in acting on this petition would be detrimental to Coulson.

In Grant of Exemption No. 18050 it was determined that because Section 91.203 specifically allows flights under Section 91.611, the FAA determined that relief from Section 21.197 is not necessary to obtain the relief you are seeking here.

Under the authority contained in 49 U.S.C. §§ 106(f), 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant Coulson Aviation USA an exemption from 14 CFR § 91.611 to the extent necessary to conduct three-engine ferry flights of specified four-engine Lockheed C-130 aircraft to a maintenance facility without having to obtain a Special Flight Permit (SFP) from the FAA for each flight, subject to the following conditions and limitations.

### **Conditions and Limitations**

1. The provisions of this exemption are limited to Coulson's Lockheed C-130 aircraft while they are being operated by Coulson's pilots.
2. Before exercising the privileges of this exemption, an appropriately rated and certificated maintenance technician must inspect the affected airplane and its engines and review the maintenance records, aircraft maintenance manual, instructions for continued airworthiness, and discrepancy logs to determine if the aircraft is in safe condition for a one-engine-inoperative ferry flight. The technician must determine whether the propeller brake may be used to lock the propeller of the affected engine to prevent windmilling with the propeller in the featherhead position. If the propeller brake is inoperative, the propeller must be removed, the engine intake plugged, and a plate installed to prevent air damage to the cowling. The technician must make an entry in the aircraft's maintenance records certifying that the airplane is in safe condition for a one-engine-inoperative flight.
3. One-engine-inoperative ferry flights are permitted only when visual flight conditions are forecast at points of takeoff and landing or any alternate points of landing.
4. One-engine-inoperative ferry flights are permitted only with crew essential to the flight.
5. Before exercising the privileges of this exemption, Coulson must provide the Sacramento Flight Standards District Office (FSDO), 5466 Longley Lane, Reno, Nevada 89511, with a current copy of its policy and procedures manual. Although the FSDO shall not approve or accept the policy and procedures manual, Coulson must also provide the FSDO with any changes to that manual. If changes to the manual affect the provisions of this

exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.

6. Before exercising the privileges of this exemption, Coulson must provide the Reno FSDO with the names and position title of management personnel with responsibility for the Air Tanker Division. During the use of this exemption, the Air Tanker Division must promptly notify the Reno FSDO of any changes in management personnel or Air Tanker Division policies and procedures. If changes to Air Tanker Division management personnel, policies or procedures affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
7. When exercising the privileges of this exemption, one-engine-inoperative ferry flights must be conducted by a dedicated ferry flightcrew. This flightcrew must receive appropriate training in three-engine ferry flights from Flight Safety International in accordance with the Coulson policy and procedures manual. Appropriate entries of this training must be made in the pilots' logbooks after completion of the training and a copy placed in their employment records.
8. When exercising the privileges of this exemption, the computation of takeoff data and the maximum operating weight of the C-130 at the start of takeoff run is limited to whichever is the least of: maximum allowable takeoff gross weight for the condition, gross weight limited by 3-engine climb performance, gross weight limited by critical field length, gross weight limited by climb-out over obstacle unless further limited by climb performance, field altitude, runway length, or temperatures. Takeoffs must be made from dry runway surface with consideration given to existing crosswind with regard to required runway length and directional control.
9. When exercising the privileges of this exemption, the operating weight of the C-130 airplanes must be the minimum necessary for the one-engine-inoperative ferry flight with necessary reserve fuel load.
10. The approved flight manual for each airplane operated pursuant to this exemption must contain performance data and operating and maintenance procedures for the safe operation of the airplane as required by Section 91.611.
11. Flights conducted pursuant to Section 21.197 under this exemption are limited to flying the aircraft to a base where maintenance or alterations are to be performed.
12. This exemption is not valid for operations outside the United States.

Failure to comply with any of the above conditions and limitations may result in the immediate suspension or rescission of this exemption.

**The Effect of the FAA's Decision**

This exemption terminates on July 31, 2023, unless sooner superseded or rescinded.

To request an extension or amendment to this exemption, please submit your request by using the Regulatory Docket No. FAA-2018-0848 (<http://www.regulations.gov>). In addition, you should submit your request for extension or amendment no later than 120 days prior to the expiration listed above, or the date you need the amendment, respectively.

Any extension or amendment request must meet the requirements of 14 CFR § 11.81.

Sincerely,

/s/

Robert C. Carty  
Deputy Executive Director, Flight Standards Service

Enclosures

AFS-22-00042-E



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, D.C. 20591

\* \* \* \* \*

In the matter of the petition of

MCI COMMUNICATIONS CORPORATION

for an exemption from Section 91.611\*  
of the Federal Aviation Regulations \*

\* \* \* \* \*

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\*  
\* Regulatory Docket No. 26237  
\*

GRANT OF EXEMPTION

By letter dated March 31, 1990, Mr. Milt Hobbs, Captain, Flight Operations, MCI Communications, (MCI), P.O. Box 17440, Dulles International Airport, Washington, DC 20041, petitioned the Federal Aviation Administration (FAA) for an exemption from Section 91.611 (formerly Section 91.45) of the Federal Aviation Regulations (FAR) to the extent necessary to allow MCI to ferry its three-engine Falcon Trijet Models 50 and 900 aircraft with one engine inoperative to a maintenance facility for the purpose of repairs.

The petitioner requires relief from the following regulations:

Section 91.611 provides, in pertinent part, that an air carrier or commercial operator of a large airplane may conduct a ferry flight of a four-engine or turbine-engine-powered airplane equipped with three engines, with one engine inoperative, to a base for the purpose of repairing that engine.

Since MCI is not a commercial operator or an air carrier, it is not eligible to conduct ferry flights under this section.

The petitioner's supportive information is as follows:

The petitioner states that Section 91.611 makes provisions for air carrier and commercial operators to fly their three and four-engine aircraft with one engine inoperative. However, Section 91.611 excludes MCI's Falcon Trijet aircraft because MCI operates under Part 91 of the FAR.

The petitioner states that the procedure for its type of operation consists of obtaining a ferry permit from the local office of the FAA when it has a need to conduct a one-engine inoperative ferry flight. The petitioner contends that this system is very expensive when the need arises after business hours, on holidays, or during weekends. Additionally, locating the U.S. representative for the FAA in some foreign countries can be quite a problem as MCI has experienced these problems on at least two occasions when several trips had to be canceled.

The flight department for MCI was started in 1981 and began operation with a single Falcon 50 jet aircraft. From the first flight, the aviation department has operated under a formal set of manuals covering all facets of operations. These manuals meet or exceed Part 121 regulations in every phase of operation and are binding upon the flight department as all insurance and corporate responsibility are based upon them.

The petitioner contends that its department has grown over the past 9 years and now operates three Falcon Trijet Models 50 and 900. Further, passenger loads have increased substantially and a large portion of these passengers are customers who hopefully will use MCI services and therefore generate business for MCI.

The petitioner states that MCI revenues exceed \$6 billion annually, that it employs over 17,000 people, and that the benefit to the public is tremendous.

The petitioner states that on two occasions it needed to ferry its aircraft to a repair facility with one engine inoperative and that both instances resulted in substantial delay in obtaining a ferry permit which further resulted in cancellation of subsequent trips. The petitioner further states that it is important to emphasize that the resulting ferry flight with the permit was accomplished exactly in accordance with Section 91.611 and that the ferry permit obtained from the FAA was a piece of paper only.

The petitioner provided approved airplane flight manual supplements of its Falcon Trijet Models 50 and 900 aircraft which detail procedures to be used for ferry flights with one engine inoperative. Additionally, the petitioner provided a table to illustrate its past experience with obtaining ferry permits in support of its petition as follows:

Date	Time of failure	Time & preparation for ferry	Time for ferry permit	Wasted produc. hours
1985	Saturday PM	2 hours	48 hours	40 hours
1987	Sunday AM	2 hours	24 hours	22 hours

A summary of this petition was published in the Federal Register on July 12, 1990 (55 FR 28712), and no comments were received.

The FAA's analysis/summary is as follows:

The FAA has reviewed all of the facts presented by the petitioner and has determined that the justification presented for granting an exemption is valid. Further, a grant of exemption will relieve the administrative burden placed on the operator and the FAA in arranging for the issuance of special flight permits during inappropriate times while operating in the United States or foreign countries.

The FAA has determined that a level of safety equivalent to that provided by the rule from which the exemption is sought will be provided because the petitioner stresses a high level of safety in its operations and uses strict policies and procedures patterned after Part 121 operations. In addition, the approved airplane flight manual provides for two-engine ferry flight of the Falcon Trijet Models 50 and 900 aircraft which has been successfully demonstrated in the past with no adverse affects on safety.

In consideration of the foregoing, I find that a grant of exemption is in the public interest and that an equivalent level of safety will be assured provided the terms of this exemption are met. Therefore, pursuant to the authority contained in Sections 313(a) and 601(c) of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), MCI Communications Corporation, is granted an exemption from Section 91.611 of FAR to the extent necessary to permit it to conduct ferry flights with one engine inoperative on its Falcon Trijet Models 50 and 900 airplanes without obtaining a special flight permit for each flight, subject to the following conditions:

Suggested Special Provisions for MCI One Engine-Out Ferry Flight Exemption:

1. This exemption shall apply to MCI Communications Corporations while operating its Falcon Trijet Models 50 and 900 airplanes.

2. Prior to exercising the privileges of this exemption, an appropriately certificated maintenance person shall inspect the respective airplane and its engines and review the airplane's discrepancy log to assure that the airplane is in satisfactory condition for the ferry flight. In addition, the appropriately certificated maintenance person shall determine whether the inoperative engine should be locked to prevent turbine blade windmilling. The appropriately certificated maintenance person shall make these safety determinations in accordance with the Falcon Trijet Models 50 and 900 airplane maintenance manuals, and that person shall certify in the airplane logbook that the airplane is in safe condition for a one engine inoperative ferry flight.
3. One engine inoperative ferry flights are permitted only when VFR conditions are forecast at points of takeoff and landing or any alternate points of landing.
4. One engine inoperative ferry flights are permitted only with crew essential to the flight. No passengers or flight attendants shall be carried during a one engine inoperative ferry flight.
5. Prior to exercising the privileges of this exemption, MCI Communications Corporation Aviation Department shall provide the Washington Flight Standards District Office (FSDO), GT Building, Suite 112, 600 West Service Road, Chantilly, VA 20041, with a current copy of its policy and procedures manual. Although the FSDO shall not approve or accept the policy and procedures manual, MCI Communications Corporation Aviation Department shall also provide the FSDO with any changes to that manual. If changes to the manual affect the provisions of this exemption, no one engine inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
6. Prior to exercising the privileges of this exemption, MCI Communications Corporation Aviation Department shall provide the Washington FSDO with the names and position title of management personnel with responsibility for the Aviation Department. During the effectivity of this exemption, the Aviation Department must promptly notify the Washington FSDO of any changes in management personnel or aviation department policies and procedures. If changes to Aviation Department management personnel policies or procedures affect the provisions of this exemption, no one engine inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of

the exemption is determined.

7. When exercising the privileges of this exemption, one engine inoperative ferry flights shall be conducted by a dedicated ferry flight crew that has received appropriate training in two-engine ferry flights from Flight Safety International in accordance with the MCI Communications Corporation Aviation Department's policy and procedures manual. Appropriate entries of this training shall be made in the pilots' logbooks after completion of the training and a copy placed in their employment records.
8. When exercising the privileges of this exemption, the operating weight of the Falcon Trijet Models 50 and 900 airplanes shall be the minimum necessary for the one engine inoperative ferry flight with necessary reserve fuel load.
9. The approved airplane flight manual for each airplane operated pursuant to this exemption shall contain performance data and operating and maintenance procedures for the safe operation of the airplane as required by Section 91.611.

This exemption terminates on July 31, 1993, unless sooner superseded or rescinded.

/s/ William J. White, Acting Director  
Flight Standards Service

Issued in Washington, D.C., on July 30, 1991.



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

May 2, 2005

Exemption No. 8551  
Regulatory Docket No. FAA-2005-20651

Mr. Thomas J. Lynch  
Chief Pilot  
Aero Union Corporation  
100 Lockheed Avenue  
Chico, CA 95973-9098

Dear Mr. Lynch:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

### **Our Decision and its Basis**

By letter dated March 11, 2005, you petitioned the Federal Aviation Administration (FAA) on behalf of Aero Union Corporation (Aero Union) for an exemption from § 91.611 of Title 14, Code of Federal Regulations (14 CFR). That exemption would allow Aero Union to ferry its eight Lockheed P-3A/B (P-3) aircraft with one engine inoperative to a maintenance facility for the purpose of repairs.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 5332 (copy enclosed), the FAA found that an exemption would relieve the administrative burden placed on the operator and the FAA in arranging for the issuance of special flight permits during inappropriate times while operating in the United States.

The FAA also determined that an equivalent level of safety would be provided because of the high level of safety in the petitioner's operations. The petitioner uses strict policies and procedures patterned after part 121 operations. Additionally, the FAA noted the approved airplane flight manual provided for one-engine-inoperative ferry flights of the aircraft. Such flights have been successfully demonstrated in the past with no adverse affects on safety.

AFS-05-233-E

Having reviewed your reasons for requesting an exemption, I find that—

- they don't differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

### **Our Decision**

Therefore, under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant Aero Union Corporation an exemption from 14 CFR § 91.611. This exemption allows Aero Union to conduct ferry flights with one engine inoperative on its eight Lockheed P-3A/B aircraft without obtaining a special flight permit for each flight, subject to the conditions and limitations below.

### **Conditions and Limitations of your Exemption**

1. Before exercising the privileges of this exemption, an appropriately rated and certificated maintenance technician must inspect the affected airplane and its engines and review the maintenance records, aircraft maintenance manual, instructions for continued airworthiness, and discrepancy logs to determine if the aircraft is in safe condition for a one-engine-inoperative ferry flight. The technician must determine whether the propeller brake may be used to lock the propeller of the affected engine to prevent windmilling with the propeller in the featherhead position. If the propeller brake is inoperative, the propeller must be removed, the engine intake plugged, and a plate installed to prevent air damage to the cowling. The technician must make an entry in the aircraft's maintenance records certifying that the airplane is in safe condition for a one-engine-inoperative flight.
2. One-engine-inoperative ferry flights are permitted only when visual flight conditions are forecast at points of takeoff and landing or any alternate points of landing.
3. One-engine-inoperative ferry flights are permitted only with crew essential to the flight.
4. Before exercising the privileges of this exemption, Aero Union must provide the Sacramento Flight Standards District Office (FSDO), 6650 Belleau Wood Lane, Sacramento, California 95822, with a current copy of its policy and procedures manual. Although the FSDO shall not approve or accept the policy and procedures manual, Aero Union must also provide the FSDO with any changes to that manual. If changes to the manual affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.

5. Before exercising the privileges of this exemption, Aero Union must provide the Sacramento FSDO with the names and position title of management personnel with responsibility for the Air Tanker Division. During the use of this exemption, the Air Tanker Division must promptly notify the Sacramento FSDO of any changes in management personnel or air tanker division policies and procedures. If changes to Air Tanker Division management personnel policies or procedures affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
6. When exercising the privileges of this exemption, one-engine-inoperative ferry flights must be conducted by a dedicated ferry flightcrew. This flightcrew must receive appropriate training in three-engine ferry flights from Flight Safety International in accordance with the Aero Union policy and procedures manual. Appropriate entries of this training must be made in the pilots' logbooks after completion of the training and a copy placed in their employment records.
7. When exercising the privileges of this exemption, the operating weight of the P-3 is limited to 100,000 pounds maximum, unless further limited by climb performance, field altitude, runway length, or temperatures. Takeoffs must be made from dry runway surface with consideration given to existing crosswind with regard to required runway length and directional control.
8. When exercising the privileges of this exemption, the operating weight of the P-3 airplanes must be the minimum necessary for the one-engine-inoperative ferry flight with necessary reserve fuel load.
9. The approved flight manual for each airplane operated pursuant to this exemption must contain performance data and operating and maintenance procedures for the safe operation of the airplane as required by § 91.611.

This exemption terminates April 30, 2007, unless sooner superseded or rescinded.

Sincerely,

//s//

John M. Allen  
Acting Director, Flight Standards  
Service

Enclosure





U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Aviation Safety

800 Independence Ave  
Washington, DC 20591

November 7, 2018

Exemption No. 18050  
Regulatory Docket No. FAA-2018-0848

W. Travis Adams  
Caulson Aviation USA  
655 South Rock Blvd.  
Reno, Nevada 89502

Dear Mr. Adams:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

### **The Basis for Our Decision**

By letter dated September 9, 2018, you petitioned the Federal Aviation Administration (FAA) on behalf of Coulson Aviation USA (Coulson) for an exemption from § 21.197 and § 91.611 of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow Coulson to conduct three engine ferry flights of specified four-engine Lockheed C-130 aircraft to a maintenance facility without having to obtain a Special Flight Permit (SFP) from the FAA for each flight.

The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption Nos. 5332, and 8551 (copies enclosed), the FAA found that an exemption would relieve the administrative burden placed on the operator and the FAA in arranging for the issuance of special flight permits during inappropriate times while operating in the United States.

In your petition for exemption, you asked for the relief necessary to permit Coulson Aviation USA to ferry a four-engine Lockheed C-130 aircraft with one engine inoperative to a maintenance facility, without obtaining a SFP for each flight. Because § 91.203 specifically allows flights under § 91.611, we determined that relief from § 21.197 was not necessary.

AFS-18-123273-E

Having reviewed your reasons for requesting an exemption, I find that—

- They are similar in all material respects to relief previously requested in the enclosed Grant of Exemption Nos. 5332, and 8551;
- The reasons stated by the FAA for granting the enclosed Grant of Exemption Nos. 5332, and 8551 also apply to the situation you present; and
- A grant of exemption is in the public interest.

### **Our Decision**

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to Coulson.

Under the authority contained in 49 U.S.C. § 106(f), 40113, and 44701, which the FAA Administrator has delegated to me, I hereby grant Coulson Aviation USA an exemption from 14 CFR § 91.611 to the extent necessary to conduct three engine ferry flights of specified four-engine Lockheed C-130 aircraft to a maintenance facility without having to obtain a Special Flight Permit (SFP) from the FAA for each flight, subject to the conditions and limitations described below.

### **Conditions and Limitations**

1. The provisions of this exemption are limited to Coulson's Lockheed C-130 aircraft while they are being operated by Coulson's pilots.
2. Before exercising the privileges of this exemption, an appropriately rated and certificated maintenance technician must inspect the affected airplane and its engines and review the maintenance records, aircraft maintenance manual, instructions for continued airworthiness, and discrepancy logs to determine if the aircraft is in safe condition for a one-engine-inoperative ferry flight. The technician must determine whether the propeller brake may be used to lock the propeller of the affected engine to prevent windmilling with the propeller in the featherhead position. If the propeller brake is inoperative, the propeller must be removed, the engine intake plugged, and a plate installed to prevent air damage to the cowling. The technician must make an entry in the aircraft's maintenance records certifying that the airplane is in safe condition for a one-engine-inoperative flight.
3. One-engine-inoperative ferry flights are permitted only when visual flight conditions are forecast at points of takeoff and landing or any alternate points of landing.

4. One-engine-inoperative ferry flights are permitted only with crew essential to the flight.
5. Before exercising the privileges of this exemption, Coulson must provide the Sacramento Flight Standards District Office (FSO), 5466 Longley Lane, Reno, Nevada 89511, with a current copy of its policy and procedures manual. Although the FSO shall not approve or accept the policy and procedures manual, Coulson must also provide the FSDO with any changes to that manual. If changes to the manual affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
6. Before exercising the privileges of this exemption, Coulson must provide the Reno FSO with the names and position title of management personnel with responsibility for the Air Tanker Division. During the use of this exemption, the Air Tanker Division must promptly notify the Reno FSO of any changes in management personnel or air tanker division policies and procedures. If changes to Air Tanker Division management personnel policies or procedures affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
7. When exercising the privileges of this exemption, one-engine-inoperative ferry flights must be conducted by a dedicated ferry flightcrew. This flightcrew must receive appropriate training in three-engine ferry flights from Flight Safety International in accordance with the Coulson policy and procedures manual. Appropriate entries of this training must be made in the pilots' logbooks after completion of the training and a copy placed in their employment records.
8. When exercising the privileges of this exemption, the computation of takeoff data and the maximum operating weight of the C-130 at the start of takeoff run is limited to whichever is the least of: maximum allowable takeoff gross weight for the condition, gross weight limited by 3-engine climb performance, obtained from figure 5-21, gross weight limited by critical field length, obtained from figure 5-22, gross weight limited by climb-out over obstacle, obtained from figure 5-26, unless further limited by climb performance, field altitude, runway length, or temperatures. Takeoffs must be made from dry runway surface with consideration given to existing crosswind with regard to required runway length and directional control.
9. When exercising the privileges of this exemption, the operating weight of the C-130 airplanes must be the minimum necessary for the one-engine-inoperative ferry flight with necessary reserve fuel load.

10. The approved flight manual for each airplane operated pursuant to this exemption must contain performance data and operating and maintenance procedures for the safe operation of the airplane as required by § 91.611.
11. Flights conducted pursuant to § 21.197 under this exemption are limited to flying the aircraft to a base where maintenance or alterations are to be performed.
12. This exemption is not valid for operations outside the United States.

This exemption terminates on November 30, 2020, unless sooner superseded or rescinded.

Sincerely,

/s/

Rick Domingo

Executive Director, Flight Standards Service



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

May 05, 2005

Exemption No. 5332G  
Regulatory Docket No. FAA-2001-8861

Mr. Leroy D. Buell  
Flight Operations  
MCI Worldcom Management Co., Inc.  
44770 Cockpit Court  
Dulles, VA 20166-7724

Dear Mr. Buell:

This letter is to inform you that we have granted your petition to extend Exemption No. 5332, as amended. It explains the basis for our decision and describes its effect.

#### **The Basis for Our Decision**

By letter filed April 22, 2005, you petitioned the Federal Aviation Administration (FAA) on behalf of MCI Worldcom Management Co., Inc. (MCI) for an extension of Exemption No. 5332, as amended. That exemption from § 91.611 of Title 14, Code of Federal Regulations allows MCI to conduct ferry flights with one engine inoperative in MCI's Falcon Trijet airplane, Model No. 900, without obtaining a special flight permit for each flight.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to MCI.

AFS-05-311-E

**Our Decision**

The FAA has determined that the justification for the issuance of Exemption No. 5332, as amended, remains valid with respect to this exemption and is in the public interest. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant your petition.

**The Effect of Our Decision**

Our decision extends the termination date of Exemption No. 5332, as amended, to July 31, 2007, unless sooner superseded or rescinded.

All conditions and limitations of Exemption No. 5332, as amended, remain the same. This letter must be attached to, and is a part of, Exemption No. 5332.

Sincerely,

//s//

James J. Ballough  
Director, Flight Standards Service



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

May 2, 2005

Exemption No. 8551  
Regulatory Docket No. FAA-2005-20651

Mr. Thomas J. Lynch  
Chief Pilot  
Aero Union Corporation  
100 Lockheed Avenue  
Chico, CA 95973-9098

Dear Mr. Lynch:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

### **Our Decision and its Basis**

By letter dated March 11, 2005, you petitioned the Federal Aviation Administration (FAA) on behalf of Aero Union Corporation (Aero Union) for an exemption from § 91.611 of Title 14, Code of Federal Regulations (14 CFR). That exemption would allow Aero Union to ferry its eight Lockheed P-3A/B (P-3) aircraft with one engine inoperative to a maintenance facility for the purpose of repairs.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 5332 (copy enclosed), the FAA found that an exemption would relieve the administrative burden placed on the operator and the FAA in arranging for the issuance of special flight permits during inappropriate times while operating in the United States.

The FAA also determined that an equivalent level of safety would be provided because of the high level of safety in the petitioner's operations. The petitioner uses strict policies and procedures patterned after part 121 operations. Additionally, the FAA noted the approved airplane flight manual provided for one-engine-inoperative ferry flights of the aircraft. Such flights have been successfully demonstrated in the past with no adverse affects on safety.

AFS-05-233-E

Having reviewed your reasons for requesting an exemption, I find that—

- they don't differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

### **Our Decision**

Therefore, under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant Aero Union Corporation an exemption from 14 CFR § 91.611. This exemption allows Aero Union to conduct ferry flights with one engine inoperative on its eight Lockheed P-3A/B aircraft without obtaining a special flight permit for each flight, subject to the conditions and limitations below.

### **Conditions and Limitations of your Exemption**

1. Before exercising the privileges of this exemption, an appropriately rated and certificated maintenance technician must inspect the affected airplane and its engines and review the maintenance records, aircraft maintenance manual, instructions for continued airworthiness, and discrepancy logs to determine if the aircraft is in safe condition for a one-engine-inoperative ferry flight. The technician must determine whether the propeller brake may be used to lock the propeller of the affected engine to prevent windmilling with the propeller in the featherhead position. If the propeller brake is inoperative, the propeller must be removed, the engine intake plugged, and a plate installed to prevent air damage to the cowling. The technician must make an entry in the aircraft's maintenance records certifying that the airplane is in safe condition for a one-engine-inoperative flight.
2. One-engine-inoperative ferry flights are permitted only when visual flight conditions are forecast at points of takeoff and landing or any alternate points of landing.
3. One-engine-inoperative ferry flights are permitted only with crew essential to the flight.
4. Before exercising the privileges of this exemption, Aero Union must provide the Sacramento Flight Standards District Office (FSDO), 6650 Belleau Wood Lane, Sacramento, California 95822, with a current copy of its policy and procedures manual. Although the FSDO shall not approve or accept the policy and procedures manual, Aero Union must also provide the FSDO with any changes to that manual. If changes to the manual affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.



5. Before exercising the privileges of this exemption, Aero Union must provide the Sacramento FSDO with the names and position title of management personnel with responsibility for the Air Tanker Division. During the use of this exemption, the Air Tanker Division must promptly notify the Sacramento FSDO of any changes in management personnel or air tanker division policies and procedures. If changes to Air Tanker Division management personnel policies or procedures affect the provisions of this exemption, no one-engine-inoperative ferry flights can be conducted until the change is reviewed by the FAA and its impact on the conditions of the exemption is determined.
6. When exercising the privileges of this exemption, one-engine-inoperative ferry flights must be conducted by a dedicated ferry flightcrew. This flightcrew must receive appropriate training in three-engine ferry flights from Flight Safety International in accordance with the Aero Union policy and procedures manual. Appropriate entries of this training must be made in the pilots' logbooks after completion of the training and a copy placed in their employment records.
7. When exercising the privileges of this exemption, the operating weight of the P-3 is limited to 100,000 pounds maximum, unless further limited by climb performance, field altitude, runway length, or temperatures. Takeoffs must be made from dry runway surface with consideration given to existing crosswind with regard to required runway length and directional control.
8. When exercising the privileges of this exemption, the operating weight of the P-3 airplanes must be the minimum necessary for the one-engine-inoperative ferry flight with necessary reserve fuel load.
9. The approved flight manual for each airplane operated pursuant to this exemption must contain performance data and operating and maintenance procedures for the safe operation of the airplane as required by § 91.611.

This exemption terminates April 30, 2007, unless sooner superseded or rescinded.

Sincerely,

//s//

John M. Allen  
Acting Director, Flight Standards  
Service

Enclosure